

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ANDREW FULLMAN

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CIVIL ACTION

v.

CITY OF PHILADELPHIA, et al.

NO. 17-2673

FILED

JUL 31 2017


KATE BARKMAN, Clerk
By _____ Dep. Clerk

ORDER

AND NOW, this **31** day of July, 2017, upon consideration of plaintiff's motion to proceed *in forma pauperis* and his *pro se* complaint, it is ORDERED that:

1. Leave to proceed *in forma pauperis* is GRANTED.
2. The complaint is DISMISSED for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), for the reasons stated in the Court's Memorandum.
3. Plaintiff is given thirty (30) days to file an amended complaint. If he chooses to file an amended complaint, plaintiff is reminded that he must identify all defendants in the caption of the amended complaint and state the factual basis for his claims against each named defendant. Plaintiff may not reassert any claims barred by *Heck* in his amended complaint; however, those claims are dismissed without prejudice to plaintiff filing a new civil action against an appropriate defendant(s) in the event his convictions are invalidated. If plaintiff fails to file an amended complaint, his case may be dismissed for failure to prosecute.
4. Upon the filing of an amended complaint, the Clerk shall not make service until so ORDERED by the Court.

BY THE COURT:


EDUARDO C. ROBRENO, J.

cc: A. Fullman